

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

ORDER
06-CR-249 (NGG)

v.

EDWARD BEDROS,

Defendant.

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NICHOLAS G. GARAUFIS, United States District Judge.

On June 2, 2008, the court held a hearing on the Government's application for an Order authorizing the involuntary treatment of Defendant Edward Bedros ("Defendant" or "Bedros") for Schizophrenia, Disorganized Type, in order to render him competent to be tried for unlawful entry into the United States.

The Government argued at the hearing, without objection, that important governmental interests are at stake in prosecuting Bedros for his alleged crime of unlawful entry into the United States after a conviction for the commission of an aggravated felony, in violation of 8 U.S.C. § 1326. See Sell v. United States, 539 U.S. 166, 180 (2003) (requiring a court to find that an important governmental interest is at stake before ordering involuntary medical treatment). The Government also presented the expert testimony of Dr. Mark Cheltenham, M.D. ("Dr. Cheltenham"), who opined that under Sell (1) involuntary medication is substantially likely to render Bedros competent to stand trial and is substantially unlikely to have side effects that will interfere with his ability to assist counsel; (2) involuntary medication is medically necessary to render Bedros competent; and (3) the administration of psychotropic medication is medically

appropriate for Bedros. See id. at 180-81 (additional factors a district court must consider).

With no objection from defense counsel to the Government's application, the court made the finding from the bench that the Sell factors are satisfied in this case. As a result, the court granted the Government's application and authorized Defendant to be involuntarily medicated pursuant to 18 U.S.C. § 4241(d) for a period of four months for the purpose of seeking to restore his mental competence to stand trial.¹

This Order shall serve as written authorization for Federal Bureau of Prisons Medical Personnel to begin administering medication to Defendant in accordance with the evaluation and treatment program set forth in Dr. Cheltenham's Forensic Evaluation, marked as Government's Exhibit # 1. The court will issue a Memorandum and Order in short order setting forth detailed factual findings and conclusions of law in support of this Order.

SO ORDERED.

Dated: June 4, 2008
Brooklyn, N.Y.

s/ Nicholas G. Garaufis
NICHOLAS G. GARAUFIS
United States District Judge

¹ The court also noted on the record its preference that Defendant voluntarily decide to take the appropriate medication and informed Defendant that choosing to do so would render involuntary medication unnecessary.